

Kris A. McLean
Tyson A. McLean
Kris A. McLean Law Firm, PLLC
PO Box 1136
Florence, Montana 59833
Phone: 406-214-1965
kris@krismcleanlaw.com

Attorneys for Plaintiff Kevin Washington

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION

<p>Kevin Washington an individual and minority owner of CryptoWatt Investment Partners, LLC sole member of CyproWatt Mining, LLC</p> <p>Plaintiff,</p> <p>v.</p> <p>Matthew Brent Goettsche an individual and majority owner of CryptoWatt Investment Parnters, LLC sole member of CryptoWatt Mining, LLC</p> <p>Defendant.</p>	<p>Cause No.: CV-20-2-BU-BMM-KLD</p> <p>BRIEF IN SUPPORT OF MOTION TO ALLOW THE RECEIVER SELL THE ASSETS OF CRYPTOWATT</p>
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Plaintiff, Kevin Washington, has moved this Court to grant the Receiver the power to market and sell the assets of CryptoWatt Investment Partners, LLC the sole member of CryptoWatt Mining, LLC (hereinafter collectively “CryptoWatt”) upon reasonable notice to the parties and Court if it is in the best interest of

CryptoWatt. This Motion is necessary due to the Defendant, Matthew Brent Goettsche's continued incarceration in federal custody pending trial which makes it impossible for the parties to effectively market and sell CryptoWatt assets in the best interest of CryptoWatt.

In his proposed Order Appointing Receiver, the Plaintiff proposed the Court grant the Receiver the power: to market and sell the property upon reasonable notice to the parties and Court if it is in the best interest of [CryptoWatt].

Plaintiff's Proposed Order to Appoint Receiver paragraph 3. 5). The Defendant's proposed Order did not contain such a provision. The Court chose to not grant the Receiver this power in its Order Appointing Receiver, but did allow "[W]hen necessary, the Court will reconsider the scope of the Receiver's power upon motion of the parties."

The unique nature of CryptoWatt's business dictates that offers to recapitalize or purchase the assets of CryptoWatt be considered and accepted or rejected as soon as possible, by mid-April 2020 at the latest. As described to the Court in earlier pleadings, under the operating agreement of CryptoWatt Investment Partners, LLC, only the defendant Matthew Goettsche has the authority to make such business judgments for CryptoWatt. Mr. Goettsche cannot practically make and execute such business decisions from jail pending trial. According to the Courts in the District of Colorado and the District of New Jersey, Mr. Goettsche

will not be getting out of jail any time soon.¹ In fact it is likely that defendant Goettsche will be incarcerated pending trial for a year and likely two years if he is convicted at trial and appeals his conviction. Without the relief requested in this motion, the Receiver does not have the power to assess potential offers to recapitalize or purchase the assets of CryptoWatt, give notice to the parties, select the best option, and submit to the Court for approval. Instead, defendant Goettsche controls such business decisions from his jail cell. Meanwhile, the value of plaintiff Washington's investment in CryptoWatt will be completely almost completely destroyed by the time defendant Goettsche is available to perform his CryptoWatt managing partner duties.

Plaintiff's motion does not request the Court grant the Receiver unfettered power to sell CryptoWatt's assets. Rather, Plaintiff's motion requests the Court grant the Receiver the power to sell CryptoWatt's assets only after notice to the parties and approval by the Court. For these reasons, Plaintiff respectfully requests the Court grant his motion and Amend its Oder Appointing Receiver to allow the Receiver Sell the Assets of CryptoWatt after notice to the parties and approval by the Court.

¹ Detention Orders in U.S. v. Goettsche from District of Colorado and District of New Jersey attached.

DATED this 4th day of March, 2020.

KRIS A. MCLEAN LAW FIRM, PLLC

/s/Kris A. McLean

Kris A. McLean

Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on the 4th day of March 2020, the foregoing document was served on the following individuals by ECF filing:

John E. Smith
Smith & Stephens, P.C.
315 West Pine Street
Missoula, Montana 59802
john@smithstephens.com

Nick K. Brooke
Smith & Stephens, P.C.
315 West Pine Street
Missoula, Montana 59802
nick@smithstephens.com

/s/ Kris A. McLean

Kris A. McLean

Kris A. McLean Law Firm, PLLC

Attorney for Plaintiff Kevin Washington